

SULLIVAN & COMERFORD, P.C.

ATTORNEYS AT LAW  
80 WASHINGTON STREET  
BUILDING B, SUITE NO. 7  
NORWELL, MA 02061  
(781) 871-6500  
Fax(781) 792-3993

WALTER B. SULLIVAN  
ANITA J. COMERFORD\*  
KAYLA A. MACLEOD  
\*ALSO ADMITTED IN IL

ANDREW BULMAN  
JOHN RING

June 26, 2019

Brookline Zoning Board of Appeals  
Attn: Jessie Geller, Chairman  
333 Washington Street  
Brookline, MA 02445-6899

**Re: 1299 Beacon Street Brookline, MA, Updated Drawings, and Construction Management Plan**

Dear Mr. Geller:

As you know, we represent KS Company Trust, owners of 1309-1019 Beacon Street with respect to the above referenced matter. My clients are concerned about several conditions that still pose a safety concern from the Proponent's revised drawings. They also have concerns as well about the Construction Management Plan that will be reviewed at the July 10<sup>th</sup> hearing. In this letter, I will relay both of those

Updated Drawing Still pose Safety Issues

As it relates to the safety concerns of the revised project, I am enclosing herewith a review of the traffic and parking issues prepared by John T. Gillon. As you will see the current proposal from the applicant is still woefully deficient. Specifically, the widths of the parking spaces are inadequate, and the drive lanes and turning radii inside the garage are unsafe. Furthermore, there are not enough accessible parking spaces and ingress and egress to the site is going to have a significant negative safety impact upon the entire area, but specifically on the already congested Sewall Avenue. Mr. Gillon also notes in his letter that the Parking Plan continues to be deficient in specific detail, which was also brought up at the public hearing. For more details, please refer to Mr. Gillon's report enclosed herewith. My clients are extremely concerned about the parking and site circulation issues and access/egress problems since they will create queuing in the public way which will exacerbate the safety for pedestrian and vehicular traffic on Sewall Ave. and Longwood Avenue. They are also concerned that these parking conditions will dissuade visitors and customers of 1299 Beacon Street from using this poorly designed garage, and seek to poach parking spaces in their private parking lot as a result.

Construction Management Plan is Inadequate

It should also be borne in mind that during the construction phase of this project, the traffic on Sewall Avenue and Beacon Street will cause extreme congestion in the neighborhood and will be a safety hazard. As has been stated during the public hearing process, the Post Office on Sewall Avenue is the distribution center for the entire town of Brookline and the Applicant has utterly failed to illustrate how he will deal with and accommodate the already difficult traffic situation on Sewall Avenue during the construction management

plan and the anticipated two year construction process.

Specific requests for amendments to the Construction Management Plan that my clients request are as follows:

1. Truck queuing location needs to be disclosed, and must not occur on Sewall, Longwood Ave, Harvard St or Beacon Street or any location that will block abutter driveways, and sidewalks.
2. My clients see the truck driving access plan. However, what is the designated staging areas for trucks and equipment? Want more specificity on the designated areas, and assurance that these will not impede abutters access.
3. Proponent should use their own site for truck access and loading, and should not use the parking lane and the sidewalk on Seward Avenue for truck access and loading.
4. My clients request police detail at all times of delivery construction and removal of debris and construction materials or dirt. This is a very busy location with school children attending school at the Temple, the post office distribution center personnel, neighborhood elderly and strollers, and it will be necessary to have a police presence at all times to maintain order and safety in this very tight already congested area.
5. Parking lane and sidewalks must be available on Sewall Avenue. The Construction Plan says that all sidewalks and parking lane will be closed on Sewall Avenue during construction. What about abutters visitors and the mail carriers, postal trucks who need parking during this two-year construction program?
6. My clients would like to understand how the building at 1297 Beacon will have safe emergency egress during and after construction. Should there be a fire at that building, my clients would be concerned about their own property if the neighbor's property can not be adequately protected by Town Fire Personnel.
7. My clients would like assurances that contractor will prevent poaching by construction and site supervisors of neighboring abutters parking lots, which were designed for their own customers cars.
8. All abutters should receive copies of surveys prior to construction commencement.
9. If and when there are any abutter reports of new or increased cracking to Proponent, demolition, pile insertion or construction will immediately cease and an investigation and remediation methods will be taken prior to continuation of construction.

Finally, my clients are also extremely concerned about the soil and ground water at the site. My clients are specifically asking the Zoning Board of Appeals conduct a Peer Review analysis of the soil as it is believed that there is a historical contamination in the neighborhood that likely affects the site. Removing and stock piling that soil could well have a very negative impact on our clients and the neighborhood.

Thank you for your anticipated courtesy and cooperation.

Very truly yours,

A handwritten signature in blue ink that reads "Walter B. Sullivan". The signature is written in a cursive style with a horizontal line at the end.

Walter B. Sullivan

WBS:jce  
ENCS.



111 River Street  
N. Weymouth, MA 02191-2104  
Telephone: (781) 589-7339  
e-mail: jt.gillon@comcast.net

June 26, 2019

Jesse Geller, Chairman  
Zoning Board of Appeals  
Town of Brookline  
566 Washington Street  
Brookline, MA 02445-6899

Reference: Traffic Study Peer Review **MEMO #3**  
Chapter 40B, 1299 Beacon Street  
Zoning District G-1.75, Precinct 10

Dear Chairman Geller and Board Members:

At the request of my clients, Roberta Sydney and Kyle Spellman, on behalf of KS Company Trust at 1309-1319 Beacon Street, I have reviewed revised architectural plans dated May 20, 2019 as prepared by CBT.

### **Parking Access/Egress and Sustainability**

The Proponent has still not provided enough easily accessible parking spaces in the revised plan. While the delay to residents and shoppers leaving the site may not be a major concern to off-site stake holders and the Town, we are still concerned about the public safety problems that will be created due to the time it will take for motorists to enter and leave the site due to queuing or stacking from the internal ramp due to prolonged parking maneuvers and the tight ramp radii leading to and from the public streets. Moreover, if the access and egress to the parking is particularly cumbersome, many motorists may simply choose to park on-street and in other parking areas to avoid the off-street open parking spaces altogether whether they are at capacity or not. My clients continue to be concerned that motorists will "poach" spaces in their adjacent parking lot because the Proponent has not designed and delivered a well-executed parking and site circulation program.

In reviewing "Parking Plan – Level P2", it appears the standard parking spaces are 8 ½' wide as well as the compact spaces. While this may be acceptable for some residential projects, it should not be allowed on commercial or even mixed-use developments. The 27' on-center dimension for three parking stalls is deceiving since the support columns must have about a 16" diameter. In any event, the spaces scale 8 ½ feet wide.

As seen in last years' American Association of State Highway and Transportation Officials [AASHTO] manual (A Policy on Geometric Design of Highways and Streets – 7<sup>th</sup> Edition 2018) the current design passenger car on Figure 2-10, is still seven-feet wide by 19 feet long. While some automobile models have gotten smaller, the larger SUV's are the best sellers.

The second graphic sheet in this memorandum shows the substandard aisle width of 23 feet will be a problem for vehicles leaving a space where the dotted red overhang line shows a vehicle hitting another vehicle then a supporting building column.

The blue turn line on the ramp shows exiting vehicles maneuvering over the down aisle double yellow center line where sight distance is already an issue. The ramp center line radii appears to be about 20 ½ feet as compared to the AASHTO design vehicle having an outside overhang radii of about 25.4 feet for vehicles leaving level P2 up the ramp to street level.

Although some may rationalize that vehicles can always make three-point turns when parking or unparking and there will not always be an opposing vehicle on the ramp, the point is this will be uncomfortable and time consuming for those not living there. These are the motorists visiting stores that may very well choose not park in the garage a second time and will park either on the street or in an adjacent private parking lot.

Sincerely,  
GILLON ASSOCIATES



John T. Gillon, P.E.

# DESIGN VEHICLE

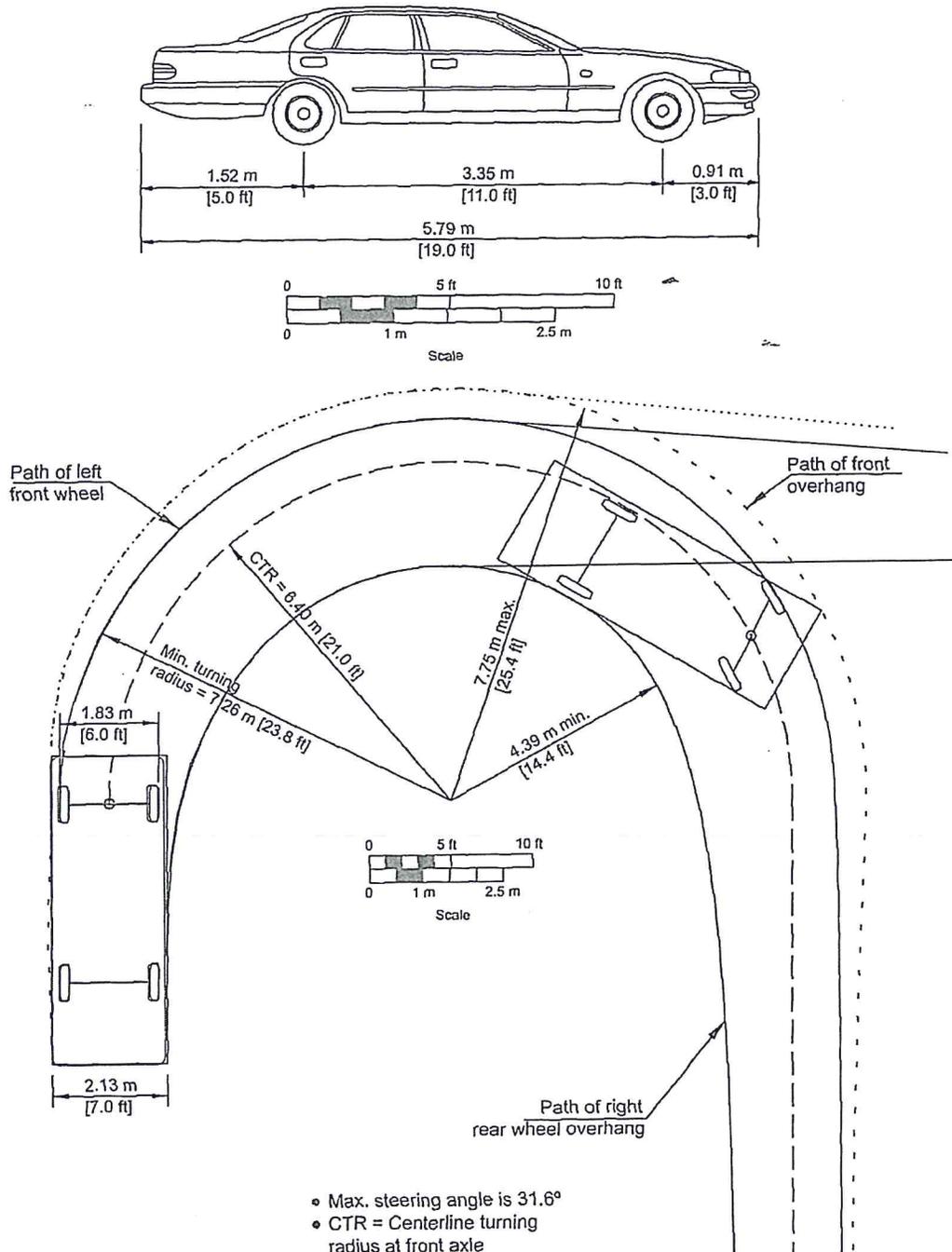


Figure 2-10. Minimum Turning Path for Passenger Car (P) Design Vehicle

